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## Freedom Of The Press - Mexico (2011)

**Status: Not Free**  
**Legal Environment: 17**  
**Political Environment: 31**  
**Economic Environment: 14**  
**Total Score: 62**

**Status change explanation:** Mexico declined from Partly Free to Not Free due to the escalating drug wars, which have taken a heavy toll on journalists. Violence and intimidation by cartels has steadily increased in a climate of impunity, leading to heightened self-censorship by the profession as a whole, as well as the murders of more than 60 journalists over the past 10 years. During 2010, the nature of drug traffickers' control over the news agenda expanded from censorship of media content to concerted attempts to place propaganda in certain media outlets. A range of techniques was employed, including forcing media outlets to print the traffickers' press releases, as well as threatening and bribing journalists.

Freedom of expression in Mexico is established in Articles 6 and 7 of the constitution, but in 2010, the Mexican media remained besieged by a mixture of drug violence, public corruption, systematic impunity, and broadcast media monopolies that severely limited the range and accuracy of information available to citizens. Journalists have attempted to be more critical than they were during the 71-year rule of the Institutional Revolutionary Party (PRI) that ended in 2000, but conditions continued to deteriorate, with criminal defamation and insult laws in place and little reform to the broadcast sector, where ownership is monopolized by a few companies. These harsh conditions resulted from the convergence of elements such as the country's prominent position in the international narcotics trade, the use of the military to combat feuding criminal groups in major cities, and an inability to enact state reforms to enhance government accountability and the rule of law following the 2000 presidential election.

The federal criminal defamation law was eliminated in 2007, but civil insult laws remain intact, as do criminal defamation statutes in 17 states. In 2003, a freedom of information act was passed in Mexico, and a 2007 amendment to Article 6 of the constitution stated that all levels of government would be required to make their information public, but that information can be temporarily withheld if it is in the public interest to do so. Despite the presence of these laws, accessing information is a time-consuming and difficult process. There were few legal cases reported against journalists in 2010. One community radio journalist was sentenced to two years in prison for attempting to establish a local radio station. This case further demonstrates the need for a legal framework to regulate the community radio sector.

Impunity remains a problem in Mexico, with little progress in the prosecution of cases of murder and allegations of torture. Emblematic was the case of the 2008 murder of *El Diario de Juárez* crime reporter Armando Rodríguez Carreón, in which potential suspects were named but no concrete action was

taken to arrest or charge them. President Felipe Calderón responded to renewed pressure from monitors at the United Nations, the Organization of American States, the Committee to Protect Journalists (CPJ), and the Inter-American Press Association in ways that could bear fruit in the future but had little impact on 2010. After years of criticism by domestic press freedom monitors, Calderón appointed a new special prosecutor for crimes against journalists in the Attorney General's Office. The effectiveness of this enhanced office remains potentially constrained by an inability to claim jurisdiction in cases constitutionally mandated to local prosecution. This position was filled in July 2010, so whether the political will to solve cases is present is yet to be determined. The president also supported legislation to federalize the investigation of crimes against journalists, which would take prosecution away from state officials, who often seem to be more easily corrupted than their federal counterparts. The proposed legislation, which followed several failed attempts in recent years, advanced in Congress, but stalled at the end of the calendar year. The Interior Secretariat and quasi-governmental National Human Rights Commission (CNDH) also created a series of protections for at-risk journalists, but drew criticism for not including journalists in the creation or oversight of the mechanisms. The new measures' effectiveness remains to be seen, as journalists overcome distrust and make use of the safeguards. In Chihuahua state, two journalists fled to the United States in November, two months after the state government enacted local protection measures but failed to designate representatives to the committee charged with overseeing those protections.

Mexico continues to be among the least safe environments for journalists in the world, as a result of the growing influence of drug gangs and organized crime on the media. In 2010, 10 journalists were killed, with at least 3 murdered as a direct result of their work. Several others disappeared in suspicious circumstances or went into exile amid death threats. Overall, more than 30 journalists have been killed during Calderón's term, according to CPJ, and more than 60 have been killed since the PRI left office in 2000. Besides threats against individual journalists, 21 media outlets were threatened in 2010, including 13 that were attacked with a car bomb, grenades, and automatic gunfire. The states of Chihuahua, Tamaulipas, and Morelos were the most violent due to battles among drug gangs and between gangs and the military. A total of 139 attacks on journalists and 21 attacks on media outlets were reported in Mexico City and 11 of Mexico's 31 states. Drug gangs are believed to carry out the more violent attacks, but attacks from state security forces were reported far more frequently. Other prevalent sources of attacks and threats toward the media were government or former officials, private security groups, and sympathizers of political parties, student groups or unions.

For several years, reporters in large sections of Mexico have said they systematically censor news about drugs, public corruption, and police or military action out of fears for their safety. In 2010, this approach took a new turn with a move from self-censorship to direct engagement with their victimizers. In September, after an attack on two employees of the *El Diario* newspaper in which photographer Luís Carlos Santiago died, the publication printed a front page editorial imploring the drug cartels to clarify what they should and should not publish, in order to know exactly what the cartels

are expecting and how to avoid lethal retribution. Also during 2010, drug dealers began issuing press releases and demanding that journalists report the stories as they desired. In Durango, rival drug gangs demanded sufficient media coverage of messages aimed at rivals or the state in return for the safe release of four journalists held as hostages. This was the first documented case of journalists being held for ransom. Another example of the strains on media control comes from Ciudad Victoria in Tamaulipas, where a criminal gang initiated a public relations scheme that published fear-inducing propaganda intended to portray the army in a negative way. The press releases regarding this case were published as official news. In another border city, Reynosa, 21 journalists told CPJ that drug gangs had infiltrated the government and the press, using bribery and mutual benefit that was commonplace under the PRI and still exists in some parts of the country. Because of the growing influence of drug cartels on the media, during three days of shootouts in Reynosa, residents turned to citizen journalists' anonymous reports on social networking websites Twitter and YouTube rather than the muzzled mass media. This is a growing trend, because the long-standing violence against traditional media workers has not spread to online journalists and bloggers.

The extension of drug traffickers' control of the media signaled a transition from imposed silence to control of the news agenda in a number of states. Because of this, self-censorship is also prevalent regarding sensitive topics such as threats to free press monitors, which in turn causes an underreporting of threats in several states where drug gangs violently dispute territory. The Center for Journalism and Public Ethics (CEPET) questioned whether false reports of press attacks were made to discredit state security forces and create aversion to the presence of police and military in conflict-riven areas of the country.

There are numerous privately owned newspapers, and diversity is fairly broad in the urban print media. However, in the broadcast sector, ownership is predominantly private but highly concentrated, and television news coverage is driven by particular corporate interests. A majority of the television stations in Mexico are affiliated with Televisa or TV Azteca, two family-owned corporations that combined own around 85 percent of the stations in Mexico and are the only networks with national reach, while a dozen or so family-owned companies control radio. Concentration is also present in the phone industry with Telmex the dominant company, and is becoming an issue in the ownership of pay television services and internet service providers. These oligopolistic practices are criticized in Mexican civil society, but a lack of political will prevents politicians from taking on powerful media and telecommunications companies. Thus, there was no movement in the Mexican Congress or from regulatory bodies in the executive branch to legalize and support community broadcasters or to act on demands to diversify ownership of the broadcast spectrum. Advertising is occasionally used to influence editorial content, as is bribery and the granting of favors, particularly by local officials and political actors. There are continued reports of advertising being withheld from critical publications by federal and local authorities. Such practices occur particularly in the periods prior to elections and during the campaign periods themselves.

In 2010, 31 percent of the population accessed the internet, which was generally free of restrictions. While content is not limited, internet service is costly and the market is not well diversified due to poor infrastructure, which is where the lack of telecommunications competition has an impact. The government has acknowledged this issue, and in May 2010 the Department of Communications and Transportation invested 1.5 billion pesos (\$120 million) to expand internet service to different regions throughout Mexico. Proposals to open the industry to competition and strengthen noncommercial media remained stalled in part because politicians reportedly feared reprisals from large media corporations.